

IN THE UNITED STATES FEDERAL DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

OSCAR MARTINEZ-RAMIREZ
Defendants.

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CR. NO. 1:06mj70-DRB

MOTION TO WITHDRAW AS COUNSEL

COMES, James R. Cooper, Jr. who moves that this Court allow him to withdraw as counsel for Mr. Martinez and states in support thereof as follows:

1. Mr. Cooper met with Mr. Rameriz this day. They went over the evidence and pleadings of this case. Mr. Rameriz has a very good command of the English language and could easily communicate with Mr. Cooper. They discussed the written summaries of numerous alleged criminal activities the government accused him of doing.

Mr. Cooper explained to Mr. Rameriz that Mr. Cooper needed to get the case continued for a number of reasons:

A. Mr. Cooper and his wife Lesley have previously made long standing plans to take a vacation to Italy beginning October 14 and returning to the States October 30, 2006.

B. Mr. Cooper has this day received 12 video disks of alleged criminal activities of Mr. Rameriz and needed time to go over them and then arrange a time to go over each one with Mr. Rameriz. Going over the video disks and then going over each one with Mr. Rameriz would take some time to accomplish.

B. Because of the numerous controlled buys, Mr. Cooper needed more time to prepare a defense and to enter into possible plea negotiations with the government.

2. Mr. Rameriz then said he would not waive his Right to a Speedy Trial and that he wanted another attorney besides Mr. Cooper to represent him in this case. He was certain that he wanted another attorney.

3. Mr. Rameriz said he wanted to get out of Montgomery City Jail and go to prison as fast

as possible. He wanted to get it over with now and would not consent to any delay.

4. At this point Mr. Cooper is faced with an untenable position. His client wants another attorney. Mr. Rameriz refuses to consent to waive his right to a speedy trial. Mr. Cooper's long standing plans for a vacation are put at risk. Mr. Rameriz wants to go to trial October 24, 2006. Mr. Cooper cannot be ready then. Additionally, his vacation plans having been made and paid for months earlier, would be disrupted. Personally such an event would be hard to bear.

Wherefore, Mr. Cooper requests the following relief:

1. That he be relieved as counsel for Mr. Martinez.
2. That another attorney be appointed to represent Mr. Martinez.
3. All other appropriate relief.

RESPECTFULLY SUBMITTED,

s/James R. Cooper, Jr. (COO021)
COOPER & COOPER
Attorney for Defendant
312 Scott Street
Montgomery, AL 36104
(334) 262-4887

CERTIFICATE OF SERVICE

I hereby certify that on this the 12th day of August , 2006, I have served a copy of the foregoing **Motion to Withdraw as Counsel** upon Ms A. Clark Morris , Asst. U.S. Attorney, P.O. Box 197, Montgomery, Alabama 36101 and by electronic case filing, by placing a copy of same in the United States Mail properly addressed and postage prepaid.

s/James R. Cooper, Jr. (COO021)

cc:

Mr. Oscar Martinez-Ramirez
Montgomery City Jail

P. O. Drawer 159
Montgomery, AL 36105